

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

THOMAS LAWRENCE FLOYD,)
)
Plaintiff,)
)
vs.) Case No. 15-cv-00429-JPG-DGW
)
WEXFORD HEALTH SOURCES, INC.,)
et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter comes before the court on the Report and Recommendation (“R & R”) (Doc. 26) of Magistrate Judge Donald G. Wilkerson with regard to Defendant Dr. Bharat Shah’s Motion (Doc. 22) for Summary Judgment. There were no objections to the R & R.

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjectionated portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the R & R is not clearly erroneous. Accordingly, the Court hereby **ADOPTS** the Report in its entirety (Doc. 26) and **GRANTS** Dr. Bharat Shah’s Motion (Doc. 22) for Summary Judgment. Defendant Dr. Bharat Shah is **DISMISSED** without prejudice.

There are no remaining defendants. As such, the Clerk of Court is **DIRECTED** to enter judgment accordingly.

IT IS SO ORDERED.

DATED: 7/27/2016

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE